



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Alfred B. Levine

Serial Number 09/814,054

Filed 3-22-01

FOR; NON-COMUTING NAVIGATION SYSTEM

Art Unit 2876 Examiner S. Palk

Notice of Appeal 6/6/03

CONFIRMATION OF  
FX 5/26/06

PETITION TO COMMISSIONER

The Commissioner of Patents is requested to exercise his supervisory authority to reassign this application to a different examining Group to restore this application to active status from its present delayed, dormant, and inactive status.

HISTORY

This application has been PENDING for 50 months ( 4 years and two months). An APPEAL to the Board of Appeals was initially filed about 24 months ago ( 2 years ago); and an APPEAL BRIEF was initially filed about 22 months ago ( almost two years ago). Yet no EXAMINER's ANSWER, nor other formal response to this Appeal, has yet been received by Applicant.

An earlier PETITION TO THE COMMISSIONER expressed concern about the long delayed action, raising the possibility that the

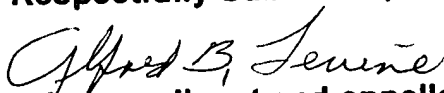
**Application had been lost or mislaid by the Patent Office. An Official search of the Patent Office records was requested by this Petition to locate the application.**

**The only reply to this earlier Petition was a requirement to amend the Appeal Brief and this was performed by Applicant as requested. Later telephone inquiries with the Examiner resulted in verbal assurances that the Appeal was scheduled for consideration by a Group conference to decide future action and that this should be conducted within a matter of about two weeks. The Examiner reported that all Appealed applications were considered at such Group conferences.**

**Since about 8 months have now passed since this first Petition and no further response has yet been received from the Patent Office, the present Petition requesting reassignment of this application is being made.**

**Additionally, further delays can be expected after reassignment until such new Examining Group acquires familiarity with the history of this application and can be expected to properly respond to the issues. It is therefore requested that this Petition be granted at the earliest date.**

**Respectfully Submitted,**

  
**Alfred B. Levine, applicant and appellant. 5/26/05**